



Wyoming PBS

January 21, 2011

Office of the Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: Comments on MB Docket No. 10-238 from Stations
KCWC/KPTW/KWYP, non-commercial educational television stations
licensed to Central Wyoming College, Riverton, WY; a/k/a "Wyoming PBS"

Wyoming PBS operates three full service digital television stations, 28 digital television translator stations, 2 fill-in translator stations, and provides an over-the-air digital broadcast signal to over 80% of the TV households in the state of Wyoming (22 of 23 Wyoming counties). In addition, our programming is re-broadcast on 6 community owned television translators and can also be found on 48 cable television systems in 22 of 23 Wyoming counties.

Wyoming PBS operates the only licensed PBS affiliate television station in the entire state of Wyoming. KCWC in Riverton and KPTW in Casper are located in the Casper-Riverton DMA, and Wyoming PBS programming is re-broadcast on DISH Network's local-into-local service to many homes in the 5 counties of the Casper-Riverton DMA. The DISH Network spot beam that re-broadcasts stations in the Casper-Riverton DMA covers the central and western counties in the state, but does not cover parts of eastern Converse County (e.g., the city of Douglas) which are located in the Casper-Riverton DMA.

KWYP Laramie is located in Albany County, which is part of the Denver DMA. Wyoming PBS has requested that KWYP be carried in the Denver DMA, but DISH Network has in the past, refused to do this. Even though the KWYP contour covers the city of Cheyenne (the state capitol, and the largest city in the state), DISH Network will not respond to our requests for carriage in the Cheyenne – Scottsbluff DMA.

Wyoming has 23 counties, but the Casper – Riverton DMA consists of only 5 counties – Natrona, Fremont, Converse, Washakie, and Hot Springs (a total of 55,620 TVHHs). The other 18 counties in Wyoming, which consists of 160,030 TVHHS and the majority of the state's population, are in other DMA's – Denver, Salt Lake City, Idaho Falls, Billings, Rapid City, or Cheyenne-Scottsbluff (see attached chart). Wyoming PBS' primary channel programming is carried on cable television and fiber-to-home (FTTH) systems throughout the state, and is carried on one MMDS system.

DirecTV does not carry any of the Casper – Riverton DMA or the Cheyenne – Scottsbluff DMA stations as local – into – local. DirecTV customers in Wyoming receive PBS programming from stations in either the Denver DMA (if they live in the eastern part of the state) or the Salt Lake City DMA (if they live in the western part of the state).

Wyoming PBS has requested that DISH Network provide Wyoming PBS programming to their local- into- local customers in Wyoming counties outside the Casper – Riverton DMA, which is now permissible under the Satellite Television Extension and Localism Act of 2010. It is important for Wyoming audiences to be able to watch the local, Wyoming-specific programming that Wyoming PBS produces and broadcasts every year, such as the governor's address to the legislature, legislative coverage, Wyoming debates, live call-in programs on Wyoming issues, historical and cultural documentaries and other public affairs programs about Wyoming people and places. Wyoming has the highest percentage of satellite TV households in the continental United States (approximately 30.5%), and Wyoming PBS is unable to reach the majority of the Wyoming TV households that receive their programming from satellite.

This inability to reach Wyoming residents not only deprives those viewers of programming related to their own state but also has had a detrimental effect on finances for Wyoming PBS. As the number of satellite TV households in the state has increased, Wyoming PBS's revenues derived from pledge drives has decreased as fewer people can see the station's pledge drives. This decline adversely affects our ability to produce more local, Wyoming-based programming and could even threaten the continuation of our current programming efforts.

Further, Wyoming PBS is connected to Wyoming's EAS system, and our obligation is provide emergency information to TV households inside the Casper-Riverton DMA, as well as to Wyoming counties outside the Casper DMA. Therefore, refusal of DBS companies to provide Wyoming PBS programming statewide endangers the safety of many Wyoming citizens, since local and statewide emergency messages are not carried on out-of-state satellite channels.

The following is the breakdown of Wyoming counties, and the respective TV households, that receive only out-of-state stations via DISH Network or DirecTV:

DMA	WY COUNTY	TVHHs
Billings	Big Horn	4,190
Billings	Park	11,420
Cheyenne-Scottsbluff	Goshen	5,050
Cheyenne-Scottsbluff	Laramie	34,700
Denver	Albany	13,540
Denver	Campbell	16,230
Denver	Carbon	6,520
Denver	Johnson	3,700
Denver	Niobrara	980
Denver	Platte	3,480
Idaho Falls	Teton	8,670
Rapid City	Crook	2,750
Rapid City	Sheridan	12,410
Rapid City	Weston	2,910
Salt Lake	Lincoln	6,420
Salt Lake	Sweetwater	15,830

Salt Lake	Uinta	7,550
Salt Lake	Sublette	3,680
Total		160,030

Wyoming PBS has notified DISH Network repeatedly and requested carriage since STELA passed in March, 2010, but DISH has been unresponsive. It is therefore clear that without being required to carry in-state stations, at least DISH Network will be unwilling to do so. Consequently, the overwhelming majority of Wyoming satellite subscribers will continue to be unable to receive any of the state issues of importance to residents of Wyoming. Of 215,650 Wyoming TV households, 160,030 TV households, or 74.2 percent, will continue to be unable to view on satellite important programming such as legislative coverage, the governor's address to the legislature, and coverage of Wyoming issues. Given the large number of people that rely upon television for news and information, the failure to be able to watch coverage of state and local issues will be a serious limitation on the ability of satellite TV subscribers fully to understand and participate in the civic debate of state issues.

Accordingly, Wyoming PBS respectfully requests that the Commission adopt rules requiring satellite carriers to provide in-state stations to counties in a DMA in which the primary city is located in a different state.

Respectfully submitted,

CENTRAL WYOMING COLLEGE,
Operating as Wyoming PBS

By:



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